

Communication from Public

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UNITE HERE Local 11)

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Council File No: 21-1404

Comments for Public Posting: Attached please find supplemental comments on behalf of UNITE
HERE Local 11 regarding the above-referenced item, which will
be heard in the PLUM Committee on August 11, 2026.



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Via E-Mail and Electronic Submission: <https://cityclerk.lacity.org/publiccomment/>

Councilmember Bob Blumenfeld, Chair
Members of the Planning and Land Use
Management Committee
200 North Spring Street
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c/o Candy Rosales, Legislative Assistant
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Re: Appeal of CEQA Determinations Related to Zone Variance for
Dream Hollywood Hotel
Council File No. 21-1404
City Planning Case No. ZA-2013-3504-ZV-PA1-1A
Environmental Case No. ENV-2018-7559-CE-1A
PLUM Committee Agenda for August 11, 2026

Dear Chair Blumenfeld and Members of the PLUM Committee:

This firm represents UNITE HERE Local 11 (“UNITE HERE”) in relation to the above-referenced appeal of California Environmental Quality Act (“CEQA”) determinations related to a 2021 Zone Variance (the “Project”) for the Dream Hollywood hotel (“Hotel”) located at 6415-6419 West Selma Avenue (the “Site”). UNITE HERE respectfully requests that the Planning and Land Use Management Committee (“Committee”) grant its appeal, withhold the Project entitlements, and proceed, if appropriate, with an enforcement action requiring the Hotel to provide on-site parking consistent with the Hotel’s original conditions of approval.¹ UNITE HERE further requests that the City investigate and consider whether to pursue enforcement actions, as necessary and appropriate, regarding potential outstanding issues related to the Hotel as discussed below.

¹ UNITE HERE’s previous comments and communications with the City regarding the Project and this appeal are hereby incorporated by reference.

I. Background

The history of the Hotel and the Project are discussed in detail in several documents in the Council File. We provide a brief summary of points salient to this appeal.

A. The original approval

The Planning Commission issued initial entitlements for the Hotel in September 2008.² As approved, the Hotel would have had 120 hotel rooms and 73,814 square feet of floor area, with a maximum FAR of 5.3:1.³ The original approvals required the Hotel to provide 77 on-site parking spaces and 14 off-site parking spaces by recorded covenant.⁴

B. The 2014 Variance

In April 2014, the Zoning Administrator approved several zone variances (the “2014 Variance”), including variances to allow the Hotel to provide 14 off-site parking spaces “by lease in lieu of a recorded covenant.”⁵ The Zoning Administrator further approved variances from “Q” conditions to allow 182 hotel rooms, 79,376 square feet of hotel uses, and a maximum FAR of 5.8:1.⁶ Condition 7 of the 2014 Variance specifically required “77 on-site parking spaces” in addition to the 14 “off-site parking spaces by lease.”⁷

² Department of City Planning, Zone Variance Approval, Case No. ZA 2013-3504(ZV) (April 14, 2014) (“2014 Variance”) at 5, in Attachment to Report from Central Los Angeles Planning Commission – Staff Report (Nov. 23, 2021) (“Staff Report”) at PDF 177 (<https://lacity.primegov.com/api/compilemeetingattachmenthistory/historyattachment/?historyId=d3736c59-d679-46e8-aa2e-4da733cec57d>).

³ See 2014 Variance at 1 (Staff Report PDF 173); *see also* Ordinance No 180381 (Staff Report PDF 199-212); Los Angeles City Planning Commission Determination Letter, Case No. CPC 2007-3931-ZC-HD-CUB-ZV-SPR (Sept. 17, 2008) (Staff Report PDF 214-254).

⁴ 2014 Variance at 5 (Staff Report PDF 177); *see* LAMC § 12.26.E.5.

⁵ 2014 Variance at 1 (Staff Report PDF 173).

⁶ *Id.*

⁷ 2014 Variance at 2 (Staff Report PDF 174).

C. The Applicant changes the project to eliminate on-site parking

In 2017, the applicant unilaterally chose to change the Hotel's design to eliminate all on-site parking by converting planned parking areas on the first and second stories to "retail, fitness center, storage," and other uses.⁸ These "improvements" increased the Hotel's floor area to 93,803 square feet⁹—an increase of more than 14,000 square feet. The applicant proceeded to build the Hotel without any on-site parking.

D. The 2021 Variance

In 2020, the applicant sought after-the-fact approvals for these unilateral changes by requesting a further set of variances, pursuant to LAMC § 12.27.U, to modify the conditions of the 2014 Variance.¹⁰ In particular, the applicant sought to modify "the number of parking spaces to be provided off-site to 79 by covenant or lease agreement."¹¹ The applicant also sought variances to retroactively authorize its expansion of the Hotel's total floor area. Implicitly recognizing that the expansion to 93,803 feet would exceed the permitted FAR of 5.8:1, the applicant further sought to modify the "total lot size" of the Site to include an additional 2,250 square feet resulting from vacation of an adjacent alleyway.¹²

In February 2021, the Zoning Administrator approved the applicant's proposed variances in part (the "2021 Variance").¹³ Specifically, the 2021 Variance modified Condition 7 of the 2014 Variance to (i) eliminate the on-site parking requirement, (ii) allow a maximum of 14 parking spaces to be provided by lease agreement in lieu of recorded covenant, and (iii) "[f]or a limited period of two years" to allow all required parking to be provided off-site via lease agreement, after which time off-site parking would be provided "in compliance with" the LAMC.¹⁴ The Zoning Administrator found the on-site parking modifications necessary in part because the applicant "now finds

⁸ Supplemental to City Planning Application at 2 (Staff Report PDF 155).

⁹ *Id.*

¹⁰ Supplemental to City Planning Application at 1 (Staff Report PDF 154).

¹¹ *Id.*

¹² *Id.* at 1-3 (Staff Report PDF 154-156).

¹³ Department of City Planning, Plan Approval, Case No. ZA 2013-3504(ZV)(PA1) (Feb. 26, 2021) ("2021 Variance") (Staff Report PDF 27-49).

¹⁴ 2021 Variance at 2-3 (Staff Report PDF 28-29).

themselves in the situation where they cannot provide the parking spaces required by the project on-site.”¹⁵

The Zoning Administrator then “dismissed” the applicant’s requests to modify the Hotel’s permitted floor area and to add the additional square footage resulting from the alleyway vacation to the total area of the Site, which the applicant claimed would preserve compliance with the FAR limitation of 5.8:1.¹⁶ The Zoning Administrator concluded that the applicant’s request to add square footage from the alleyway vacation to the Site was not proper under LAMC section 12.27.U. Because that section allowed modifications only on the “lot” on which the use was permitted, and because the vacated alleyway was on a separate lot not subject to the original approval, the Zoning Administrator dismissed this portion of the applicant’s request.¹⁷ In so doing, the Zoning Administrator noted that the expansion of the Hotel’s floor area on the on the lots originally permitted for development “would exceed the authorized FAR of 5.8:1.”¹⁸

Finally, the Zoning Administrator found its approval of the 2021 Variance exempt from CEQA pursuant to the “Class 1” categorical exemption for existing facilities set forth in CEQA Guidelines section 15301.¹⁹

On September 30, 2021, the Central Los Angeles Area Planning Commission upheld the 2021 Variance as approved by the Zoning Administrator.²⁰ Both UNITE HERE and Citizens for a Better Los Angeles appealed the Central Los Angeles Area Planning Commission’s determination to this Committee.²¹

¹⁵ *Id.* at 18 (Staff Report PDF 45) (emphasis added).

¹⁶ *Id.* at 1-2 (Staff Report PDF 27-28).

¹⁷ *Id.* at 15-16 (Staff Report PDF 41-42).

¹⁸ *Id.* at 16 (Staff Report PDF 41).

¹⁹ The “CEQA Guidelines” are codified at title 14, California Code of Regulations, section 15000 et seq.

²⁰ Central Los Angeles Area Planning Commission, Letter of Determination (Sept. 30, 2021), at

<https://lacity.primegov.com/api/compilemeetingattachmenthistory/historyattachment/?historyId=6d3cb49c-be86-44aa-b26e-93cbaa1dd200>

²¹ See Attachment to Report from Central Los Angeles Area Planning Commission – Appeal 1 – Casey Maddren (Oct. 12, 2021) (“CBLA Appeal”), at

<https://lacity.primegov.com/api/compilemeetingattachmenthistory/historyattachment/?historyId=a1708ffa-4c09-4cd0->
(footnote continued on next page)

II. UNITE HERE's appeal should be granted.

A. Approval of the 2021 Variance violated CEQA.

1. The Class 1 categorical exemption is inapplicable to the 2021 Variance.

The Class 1 categorical exemption applies to the “operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use.”²² Specifically, Class 1 exempts “[a]dditions to existing structures” of no more than 10,000 square feet.²³

As the California Supreme Court recently reaffirmed, “the core motivating principle behind CEQA is to protect our state’s environmental resources.”²⁴ In accordance with this principle, “CEQA is to be interpreted to afford the fullest possible protection to the environment within the reasonable scope of the statutory language.”²⁵ “Categorical exemptions must be interpreted with these broad aims in mind and are therefore ‘not to be expanded beyond the reasonable scope of their statutory language.’”²⁶

The Zoning Administrator improperly relied on the Class 1 categorical exemption because the 2021 Variance effectively approved the applicant’s expansion of the Hotel’s floor area by more than 10,000 square feet.

The 2021 Variance resulted directly from the applicant’s unilateral decisions to change the project, eliminate the on-site parking previously required under Condition 7 of

[a257-866710b04a61](#); Attachment to Report from Central Los Angeles Planning Commission – Appeal 2 – Romulus Zsamora and UNITE HERE Local 11 (Oct. 14, 2021) (“UNITE HERE Appeal”), at <https://lacity.primegov.com/api/compilemeetingattachmenthistory/historyattachment/?historyId=d2a31e62-034e-441a-92bd-0e8decec846f>.

²² CEQA Guidelines, § 15301.

²³ CEQA Guidelines, § 15301(e)(2).

²⁴ *Sunflower Alliance v. Department of Conservation* (2026) 20 Cal.5th 22, ___, 591 P.2d 829, 838.

²⁵ *Mountain Lion Foundation v. Fish & Game Com.* (1997) 16 Cal.4th 105, 112 (quotation omitted).

²⁶ *Sunflower Alliance*, 529 P.2d at 838 (quoting *Mountain Lion Foundation*, 16 Cal.4th at 125).

the 2014 Variance, and increase the Hotel's floor area by more than 14,000 square feet. The clear purpose of the applicant's changes to the project was to devote the on-site parking areas required by the 2014 Variance to other uses. A further variance from Condition 7 of the 2014 Variance was necessary only because the applicant unilaterally chose to expand the Hotel's floor area at the expense of on-site parking. By approving the changes necessary to accommodate additional parking off-site, the Zoning Administrator effectively approved the applicant's floor area expansion after the fact. Accordingly, because the floor area expansion was greater than 10,000 square feet, the Zoning Administrator erred in relying on the Class 1 exemption.

The Zoning Administrator and the Central Los Angeles Area Planning Commission erroneously concluded that the Zoning Administrator's dismissal of *portions* of the 2021 Variance application justified reliance on the Class 1 categorical exemption. In support of these conclusions, the Department of City Planning's response to this appeal ("Appeal Response") contends that "[a]s a result of the dismissal, the determination did not authorize any conversion of any portions of the building designated for parking purposes to another use. . . . The Class 1 [categorical exemption] is therefore appropriate because the approved project did not include any additional floor area that would exclude it from this categorical exemption."²⁷

This conclusion is incorrect because it violates another core principle of CEQA. Agencies may not avoid analysis of environmental impacts by "chopping a large project into many little ones."²⁸ Under CEQA, agencies must assess the environmental impacts of "the whole of an action"—that is, "the activity for which approval is sought, not to each separate governmental approval that may be required for the activity to occur."²⁹ Accordingly, "the lead agency must describe the project to encompass the entirety of the activity that is proposed for approval. This ensures that all potential impacts of the proposed project will be examined before it is approved."³⁰

The Zoning Administrator's decision to dismiss the floor area expansion request, while approving the off-site parking request that was made necessary solely because of

²⁷ Department of City Planning, Appeal Response for Case No. ENV-2018-7559-CE at 4 (June 4, 2026) ("Appeal Response"), at <https://lacity.primegov.com/api/compilemeetingattachmenthistory/historyattachment/?historyId=485f2c32-30db-4572-9317-cf87413c9b48>.

²⁸ *Bozung v. Local Agency Formation Com.* (1975) 13 Cal.3d 263, 283-84.

²⁹ Kostka & Zischke, Practice Under the California Environmental Quality Act (2d ed. Cal. CEB 2026) §6.31 (citing CEQA Guidelines § 15378).

³⁰ *Id.*

the applicant's unilateral decision to expand the Hotel's floor area, improperly segmented environmental review of the Project. The "whole of the project" for CEQA purposes here consisted of *both* the floor area expansion *and* the resulting elimination of on-site parking. The City cannot avoid CEQA by technically "dismissing" only part of the Project. The 14,000 square foot floor area expansion is integral to, and the sole cause of, the need for the 2021 Variance. The Class 1 categorical exemption by its terms does not apply to expansions greater than 10,000 square feet. As a result, the Zoning Administrator's reliance on the Class 1 categorical exemption was improper.

2. Approval of the 2021 Variance relied on "piecemeal" environmental review.

Approval of this specific Project based on a categorical exemption constitutes improper "piecemealing" of environmental review for another reason: the record contains ample evidence that the Hotel was part of a far larger hotel and entertainment complex that was improperly divided into separate pieces for purposes of environmental review.³¹ UNITE HERE's prior communications on this issue are incorporated by reference herein.³²

B. The 2021 Variance should have been denied because the conditions creating the need for it were entirely self-imposed.

Under the LAMC, "[a] Variance shall not be used to grant a special privilege or to permit a use substantially inconsistent with the limitations upon other properties in the same zone and vicinity. *The Zoning Administrator may deny a Variance if the conditions creating the need for the Variance were self-imposed.*"³³

³¹ See, e.g., Citizens for a Better Los Angeles, Comments in Support of Appeal, Responses to Applicant's Representative (April 12, 2023), at <https://lacity.primegov.com/api/compilemeetingattachmenthistory/historyattachment/?historyId=27f1b5fd-3dd3-462a-bacd-b2ba1c932c54>; Staff Report PDF 367-647 (comments of Casey Maddren and attached exhibits).

³² See UNITE HERE! Local 11, Comments Re: Item 20 PLUM Meeting Scheduled April 18, 2023 at 1-2 (April 18, 2023), at <https://lacity.primegov.com/api/compilemeetingattachmenthistory/historyattachment/?historyId=a3ec0161-2e5b-43aa-aeef-3f8db52daee0>; UNITE HERE Appeal at 4-5; CBLA Appeal at 5; .

³³ Former LAMC section 12.27.U (now codified as LAMC Chapter 1A, section 13B.5.3.E.2) (emphasis added).

The “conditions creating the need for” the 2021 Variance were entirely “self-imposed.” They resulted solely from the applicant’s unilateral decision to change its project and eliminate the on-site parking clearly required by Condition 7 of the 2014 Variance. The Zoning Administrator improperly disregarded the self-imposed nature of the need for a variance in stating that the applicant “now *finds themselves in the situation* where they cannot provide the parking spaces required by the project on-site.”³⁴ The applicant did not “find themselves” in this situation. They put themselves in this situation. The Zoning Administrator committed an abuse of discretion by failing even to acknowledge, much less properly analyze and weigh, the self-imposed nature of the need for the variance.

C. The City should investigate outstanding issues related to the 2021 Variance and enforce any continuing violations.

Regardless of how the Committee rules on this appeal, the record reveals apparent outstanding issues with the Hotel. The City should investigate these issues and, if appropriate, pursue enforcement as necessary.

First, the 2021 Variance authorized the applicant to provide off-site parking on a temporary basis pursuant to a lease agreement based on the applicant’s representation that parking garages intended for covenanted off-site parking had not yet been issued certificates of occupancy.³⁵ Accordingly, the City should investigate whether the Project is now providing, or is able to provide, any authorized off-site parking pursuant to covenant as the LAMC requires.

Second, and more critically, when the Zoning Administrator dismissed the floor area and lot area expansion requests from the application for the 2021 Variance, it concluded that the applicant could not rely on an increase in lot area resulting from vacation of a nearby alley to meet floor area requirements.³⁶ The Zoning Administrator also suggested that as a result, the Project as built likely exceeded the applicable FAR ratio of 5.8:1.³⁷ The Appeal Response recently prepared by planning staff further states

³⁴ 2021 Variance at 18 (Staff Report PDF 45) (emphasis added).

³⁵ See 2021 Variance at 2-3, 18 (Staff Report PDF 28-29, 44).

³⁶ 2021 Variance at 15-16 (Staff Report PDF 41-42).

³⁷ *Id.* at 16 (Staff Report PDF 42) (“The requests which rely on inclusion of the lot area of the adjacent vacated alleyway, namely increasing the total floor area authorized for development and increasing the total floor area authorized for commercial development, are no longer justified as this would exceed the authorized FAR of 5.8:1, for which there is no request to consider this under the instant application.”).

that “[t]he action to dismiss [the floor area expansion request] does not negate the applicant’s responsibility to pursue more appropriate entitlement requests to consider the additional square-footage resulting from the conversion of the parking area into other uses. Until an entitlement is granted to allow for the additional square footage, the applicant is prohibited from utilizing the space at issue for any other unapproved use.”³⁸ Therefore, the City should investigate whether the Project is currently in violation of Project conditions and applicable FAR limitations and, if so, the City should consider pursuing enforcement actions accordingly.

For all of the foregoing reasons, and for the reasons stated in prior appeal letters, comments, and communications in the record for this Project, UNITE HERE respectfully requests that the Committee grant its appeal. Thank you for your consideration of these supplemental comments.

Very truly yours,

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³⁸ Appeal Response at 4.